

**REMARKS**

Applicant requests favorable reconsideration of this application in view of the foregoing amendments and the following remarks. Of claims 2-12 which were pending in the application, claims 8-12 were rejected in the Office Action. Applicant appreciates the allowance of claims 2-7. By way of this amendment, Applicant has amended claims 2, 8, 10, and 11. Accordingly, claims 2-12 are respectfully submitted for consideration.

Claims 8, 10, and 11 are objected to. These claims have been amended where appropriate. Reconsideration and withdrawal of the objection is respectfully requested.

Claim 11 is rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,358,273 (“Onishi”). For at least the following reasons, the rejection is respectfully traversed.

As amended, claim 11 recites a *passenger-side* air bag which includes, amongst other things (emphasis added):

- a front section including a pair of front panels forming an exterior surface *positioned to face a passenger when the air bag deploys*;

- wherein one of the pair of front panels includes a rearward extending section located inside the air bag and connecting the front section to a rear section;

- wherein the rear section includes a rear panel and a mid panel, the mid panel being connected to the rearward extending section and the rear panel;

- wherein a seam joining the pair of front panels is located away from the exterior surface so that the seam cannot contact the passenger when the air bag deploys;

- wherein the rearward extending section and the mid panel divide the air bag into upper and lower chambers; and

- wherein the rearward extending section includes at least one opening formed therein for allowing gas to pass between the chambers.

As explained further below, Onishi fails to teach, disclose, or suggest the claimed passenger-side air bag.

Onishi is entitled (underline emphasis added): “Inflatable Bags For Airbag Passive Restraint Systems For Driver And Method For Production Thereof.” Moreover, Figures 13 and 14 of Onishi make clear that its air bag is designed to be located in a steering wheel 12 and is intended for a driver rather than for a passenger. Accordingly, for this reason alone it is clear that Onishi fails to teach or suggest the *passenger-side* air bag recited in claim 11.

However, Applicants further note that the structure of the air bag in Onishi also fails to teach or suggest other limitations set forth in claim 11.

For example, claim 11 recites: “a front section including a pair of front panels forming an exterior surface positioned to face a passenger when the air bag deploys.” The Examiner attempts to analogize panels 1, 2 on the right side of the air bag shown in Onishi Figure 4 to the recited “front section.” However, as clearly shown in Figures 13 and 14, panel 1 is not “positioned to face a passenger when the air bag deploys.” Rather, only panel 2 is positioned to face a passenger. If anything, panel 1 is analogous to the “rear section” recited in claim 11. Thus, Onishi clearly fails to teach, disclose, or suggest a front section formed for a pair of front panels each of which is positioned to face a passenger when the air bag deploys. Accordingly, withdrawal of the rejection is appropriate.

Claims 8-10 and 12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Onishi or U.S. Patent No. 5,129,675 (“Wang”). For the following reasons, Applicant respectfully traverses these rejections.

As amended, claim 8 (*i.e.*, the claim from which claims 9, 10, and 12 depend) recites a passenger-side air bag which includes, among other possible things:

- a front section including a pair of front panels forming an exterior surface positioned to face a passenger when the air bag deploys;
- wherein one of the pair of front panels includes an integrally formed rearward extending section located inside the air bag and connecting the front section to a rear section; and
- wherein a seam joining the pair of front panels is located away from the exterior surface so that the seam cannot contact the passenger when the air bag deploys.

As hereafter explained in detail, neither Onishi nor Wang teaches, discloses, or suggests such a passenger-side air bag.

#### Onishi

As previously discussed with respect to the rejection of claim 11, Onishi fails to teach, disclose, or suggest a front section which includes a pair of front panels both of which are “positioned to face a passenger when the air bag deploys,” as recited in claim 8. For this reason alone, the rejection of claim 8 for obviousness in view of Onishi was improper.

In addition, however, Applicant respectfully disagrees with the Examiner’s citation to *Howard v. Detroit Stove Works*, 150 U.S. 164 (1893) to support a contention that making two elements integral is an obvious improvement over the prior art. The Examiner overlooks far more recent case law on the topic of whether making two (or more) items integral is an

obvious improvement. *See, e.g., Sensonics, Inc. v. Aerosonic Corp.*, 81 F.3d 1566 (Fed. Cir. 1996). In *Sensonics*, the Federal Circuit stated that the simple act of integrating separate components could be nonobvious because: “simplicity does not establish obviousness; indeed, simplicity may represent a significant and unobvious advance over the complexity of prior devices.” *Id.* at 1570.

In sum, there is no motivation for modifying Onishi to include an integral panel. The mere citation of a court decision does not provide the required motivation for one of ordinary skill in the art to modify the structure disclosed in Onishi and, thus, the rejection should be withdrawn.

Furthermore, as called for in claim 8, one of the front panels is provided with an integrally formed rearward extending section which connects the front section to the rear section without exposing a passenger to a seam. As a result, the invention can not fairly be characterized as merely making two parts integral. Rather, the invention’s novel solution eliminates a problem (*i.e.*, the risk of exposing a passenger to an air bag seam) identified in the prior art. Accordingly, the present invention, like that in *Sensonics*, not only improves the relevant art, it does so in a nonobvious way.

The Examiner’s reliance on Wang is also misplaced. The Examiner admits that Wang, like Onishi, fails to teach, disclose, or suggest “that the rearward extending section (#52, 54) is integral to the front panel.” To compensate for this shortcoming, the Examiner again cites to *Howard v. Detroit Stove Works*, 150 U.S. 164 (1893) to support a contention that it would have been obvious to one of ordinary skill in the art “to modify the rearward extending section of Wang such that it was integral to one of the pair of front panels.” The rejection should be withdrawn, for at least the reasons set forth above with regard to the rejection based on Onishi.

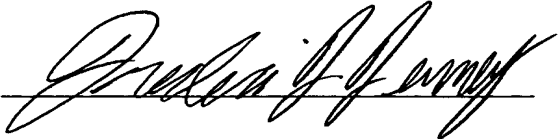
Neither Wang nor Onishi disclose, teach or suggest the claimed invention and there is no motivation for modifying either reference to arrive at the claimed invention. Claims 9, 10, and 12 depend from claim 8, and are allowable therewith, without regard to the further patentable limitations contained in these dependent claims. Withdrawal of the rejection of claims 8-10 and 12 is accordingly requested.

**CONCLUSION**

For the aforementioned reasons, claims 2-12 are now in condition for allowance. A Notice of Allowance at an early date is respectfully requested. The Examiner is invited to contact the undersigned if such communication would expedite the prosecution of the application.

Respectfully submitted,

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